



Comptroller General  
of the United States

105518

Washington, D.C. 20548

## Decision

**Matter of:** HDL Research Lab, Inc.--Reconsideration

**File:** B-254863.6

**Date:** August 10, 1994

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### DECISION

HDL Research Lab, Inc. requests reconsideration of our decision in HDL Research Lab, Inc., B-254863.3, May 9, 1994, 94-1 CPD ¶ 298, which denied HDL's protest of the cancellation of invitation for bids No. DAAB07-93-B-Q266, issued by the United States Army Communications-Electronics Command. Our prior decision found that the agency had a compelling reason to cancel the IFB because the specifications were improperly "wired" in favor of HDL's product, which inhibited full and open competition.



We deny the request for reconsideration because the request provides no basis for reconsidering our prior decision.

Under our Bid Protest Regulations, to obtain reconsideration the requesting party must show that our prior decision may contain either errors of fact or law or present information not previously considered that warrants reversal or modification of our decision. 4 C.F.R. § 21.12(a). The repetition of arguments made during our consideration of the original protest and mere disagreement with our decision do not meet this standard. R.E. Scherrer, Inc.--Recon., B-231101.3, Sept. 21, 1988, 88-2 CPD ¶ 274.

While, as noted by the protester, our prior decision did not specifically discuss all the arguments and facts before our Office, all facts and arguments were fully considered. The protester's argument essentially was that the agency was technically justified in specifying HDL's product configuration because other configurations were unacceptable. We found, contrary to HDL's argument, that there was no evidence that the reported problems (cited by HDL) in the product offered by another offeror under the canceled RFP were caused by that firm's failure to use the

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specified HDL configuration, or any other evidence establishing that other configurations were unacceptable or that only HDL's configuration could satisfy the agency's requirements. The fact that we didn't recite all of the factual points and arguments presented by the protester in reaching these conclusions does not establish that our decision was incorrect or based on an error of fact or law. The protester in essence is simply expressing disagreement with our decision. This is an insufficient basis for obtaining reconsideration.

  
 Robert Murphy  
Acting General Counsel



United States  
General Accounting Office  
Washington, D.C. 20548

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**Office of the General Counsel**

B-254863.6

August 10, 1994

The Honorable Phil Gramm  
United States Senator  
2323 Bryan Street, #1500  
Dallas, Texas 75201

Dear Senator Gramm:

This is in response to your inquiries dated May 16 and 23 and July 8, 1994, concerning the protest of HDL Research Lab, Inc. against the cancellation of solicitation No. DAAB07-93-B-Q266. Enclosed is a copy of our decision of May 9, 1994, which denied the protest for the reasons stated therein, and our decision of today denying HDL's request for reconsideration.

Sincerely yours,

A handwritten signature in cursive script that reads "Robert P. Murphy".

Robert P. Murphy  
Acting General Counsel

Enclosures (2)